## RULE 63 (37 C.F.R. 1.63) DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patient appear to on the invention entitled:

|  |   | IMPOSITIONS AND METH  | ODS FOR TREATMENT  | OF MITOCHONDRI   | AL DISEASES  |   |  |
|--|---|---|--|--|--|---|--|
| the specification of which (check applicable box(s)):  |   |   |  |  |  |   |  |
| =  | attached hereto   |   |  |  |  |   |  |
|  | as filed on   | August 31, 1998   | as U.S. Application  | Serial No09/144  | 1,096  | (Atty Dkt. No. 1331-254)  |  |
|  | as filed as PCT Internation   |   |  | on   |  |   |  |
| and (if a  | oplicable to U.S. or PC1  | application) was amended of   | on   |  |  |   |  |
| I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:  Priority Foreign Application(s):  Application Number  Country  Day/Month/Year Filed |   |   |  |  |  |   |  |
|  |   |   |  |  |  | -   |  |
| I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.  Application Number Date/Month/Year Filed   |   |   |  |  |  |   |  |
| Thereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:  |   |   |  |  |  |   |  |
| Prior U.S  | S./PCT Application(s):  |   |  |  |  | Status: patented  |  |
|  | ion Serial No.  |   | Day/Month/Year Filed   |  |  | pending, abandoned  |  |
|  |   |   | ·  |  |  | , 3,  |  |
| be true; a imprison application 22201-47 address) connecte 39184; R Spooner, Thomas  | and further that these star<br>ment, or both, under Section or any patent issued the<br>'14, telephone number a<br>individually and collective<br>d therewith and with the<br>obert W. Faris, 31352; R<br>27393; Leonard C. Mitch<br>E. Byrne, 32205; Mary J. | tements were made with the tion 1001 of Title 18 of the latereon. And I hereby appoint (703) 816-4000 (to whom a sely my attorneys to prosecutes ulting patent: Arthur R. ichard G. Besha, 22770; Mard, 29009; Duane M. Bye | e knowledge that willful fall United States Code and thint NIXON & VANDERHYE all communications are to ute this application and to t Crawford, 25327; Larry S. ark E. Nusbaum, 32348; N ars, 33363; Jeffry H. Nelson avidson, 33489; Alan M. Ka till, 37334; Michael J. Shea  W. MI (s | se statements and to at such willful false: E.P.C., 1100 North to be directed), and ransact all business. Nixon, 25640; Roblichael J. Keenan, 3n, 30481; John R. Lagen, 36178; William, 34725.*  von BORSTE (last) | he like so made<br>statements may<br>Glebe Rd., 8th<br>the following a<br>s in the Patent a<br>ert A. Vanderhy<br>(2106; Bryan H.<br>astova, 33149;<br>n J. Griffin, 312 | y jeopardize the validity of the Floor, Arlington, VA ttorneys thereof (of the same |  |
|  |   |   | , Maryland   |  |  | · · · · · · · · · · · · · · · · · · ·   |  |
|  | (Zip Code) 20854  |   |  |  |  |   |  |
| 2.   | Inventor's Signature:<br>Inventor:  |   |  |  | Date.  |   |  |
|  |   | (first)   | MI   | (last)   |  | (citizenship)   |  |
|  | Residence. (city) Post Office Address: (Zip Code)   | , ,   | (s   | ate/country)   |  |   |  |